

622

624

Comanche NO6

[For information on chiefs appointed by the Spanish, see Category 643.]

THE PEACE CHIEF

I hardly know how to tell about them; they never had much to do except to hold the band together.—That's It.

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No words can better convey an impression of the position of the peace chief in Comanche society than those of That's It. The peace chief was called páraíṣo, a term without generic significance in the Comanche tongue. Literally the title reads pa (water), plus ṭaiṣo (alien, or white man), and means, therefore, "water white man." The northern Shoshone, on the other hand, know the peace chief only as ṭégwoni, which given its full meaning reads, "good talk thrown out to the people," a title rich in significance. Nor could the Shoshone throw light on the derivation of the Comanche páraíṣo, until one day one of them triumphantly remembered that such was the Indian appellation for the government irrigation supervisor! But the Comanches have no irrigation.

Comanche informants were all quite familiar with the person of the páraíṣo, but were stumped when it came to making explicit the things he did. This is because he was no more than an older man in whom the people had trust and confidence, to whose daily advice they listened, but to whom they gave just one single definite power: that of deciding the time and place of camp moving.

The outstanding qualities of the peace chief were kindness, generosity, and wisdom. He was not of necessity a brave man; some peace chiefs had hardly ever gone to war in their youth; it was enough that he was wise and good. When a man emerged as peace chief he had become a kind of revered patriarch. To all of the band he was "father"; he in turn addressed them each as "son."

There is no way of saying how a man became peace chief. To the informants it seemed a silly question. The answer is that no one "made" him such. "He just got that way." There were no elections, no appointments to the office; elevation was by common recognition. The man the people naturally looked to for wisdom and kindly help was the man whom, less by assent than by unnoticed practice, they came to hold as their peace chief.

Trusted and revered, he was the functioning balance wheel in band life. From all accounts, he was never officious. He knew how to be absent when he was not wanted, but there were times when his judicious words in a minor dispute could bring both parties to satisfaction. Judge he was not, but arbiter at times he seems to have been. In none of the litigational procedures recorded is his presence noted, but those will be seen to be almost without exception cases in which the rule of conduct was clear. It was

rather in situations where the problem was a question of what *ought* to be done that the peace chief was important. Because of his qualifications he was reputed to have the finest sense of social fitness. From this he derived a certain authority as counsellor-to-the-people-at-large. In some divorce situations he seems to have acted as arbiter and advisor. "Most likely some old man came in as advisor," though he was seldom active in this capacity. More typically, in the disposal of the huge herd of horses of the deceased Big Fall By Tripping the chief is said to have told the widow what to do.¹ That she followed his words means no more than that his ideas appealed to her as right and proper. It means no more than that his words, tailored in wisdom to the situation, appealed to her as they would likely have appealed to anyone. Under no circumstances had a peace chief the power to *order* an adjustment to be made.

It was not unusual for a "big" peace chief to have his personal herald, or announcer. In such an event, this individual served as the chief's mouth-piece in announcing the daily news and comments of the chief. Among the Comanches the chief's announcer was called *tékwnit*, which is the equivalent of the Northern Shoshone *tégwóni*, peace chief. The Shoshone title for the chief's announcer is *tégwóniwap*, meaning "he who specializes in speaking." "Anything the chief says, he tells them."

According to one of Dr. Mirsky's informants, a peace chief always had two young men to serve him as aides-de-camp. "They go with him because the right kind of a chief is loved by all." These young men protected their chief at all hazards; they would give their lives to take his body from the enemy, and it was a thing to boast of to have been chosen as body guard to a peace chief.²

The influence of the peace chief was limited to internal and civil matters only. No peace chief could stop a war party from taking the trail. Peacemaking was the prerogative of war leaders. Though peace chiefs were usually too old to participate in active combat, they were subject to the leadership of the war chiefs in case of attack upon the band. [728]

While it was not necessary for a man to have a war record to become a peace chief, it was not uncommon for a war leader to achieve that rank in his later years. Such was the Comanche, Red Sleeve, "a *real* war leader, also a peace chief." Of the two sons of Red Sleeve, That's It spoke with tender sentiment of Two Mountains, peace chief of the Water Horse band, "a fine, gentle fellow never looking for trouble; whatever they did, he was the

¹ See p. 124.

² Jeannette Mirsky, *Comanche Field Notes*, unpublished.

- 624 leader of all." But it was of Two Mountain's brother, Cold, that That's It waxed enthusiastic, for Cold was a famous war chief. Of his exploits one could talk for hours. According to our information, a peace chief was a man whose raiding days were over. Dr. Mirsky was informed that some peace chiefs did take to the war path, and when they did so, established an interesting rule by proxy through the chief's wife aided by the chief's formal friend in the "brotherhood bond." The reputed words of the peace chief to his announcer and to his *hais* (formal friend) would be these, "Look here, my friends, here is my wife. Pitch your tents close to hers, so that you may tell the rest of the people what you intend to do. She has full instructions. I have left all my plans with her. I want you to help her carry them out. She knows everything I want done and how I want it done—and she will tell you." Such a practice would have been of most unusual occurrence. Aside from its not having been recorded in the investigations of the Santa Fe Laboratory Field Group, it does not fit comfortably into the Comanche [608] setting. It may be noted, in this respect, that *hais* were reputedly always together when one of them took to the war path.

Some tendency to hereditary succession is found in the Comanche lines of leadership. Sons of chiefs became chiefs with more than average frequency. This is not due to any established rule of hereditary succession, but results from the fact that sons of chiefs, by virtue of the training and examples set by their fathers and expectancy of high standards within their families (biological factors cannot be determined), attained the qualities of the chieftain. Competition was open. Chiefship was granted on performance solely. Chiefly excellence appears to have run to some degree in paternal family lines.

The observation made on the Comanches nearly a hundred years ago by Josiah Gregg is essentially correct, "When a chief becomes old and careworn, he exercises but the 'civil authority' of his clan (sic); while his son, if deemed worthy, otherwise some distinguished brave, assumes by 'common consent' the functions of war chief."⁴

³ Mirsky, *Field Notes*.

⁴ Josiah Gregg, *The Commerce of the Prairies* (Cleveland, 1906), p. 343; in G. R. Thwaites, *Early Western Travels* (vol. 20, pt. 2).

721 never looked for horses; its object was to scalp; it turned back as soon as a single scalp was taken. The Scalp Dance was held upon the return.

Ordinarily, a man contemplating leading out a party drummed and sang war songs in his tipi. Those who wished to go came and joined him in the singing there. A war dance was held the night before departure. During the afternoon the entire party rode at a lope through the camp. They rode in a single file behind the organizer. The last horse carried two men, one of whom had performed the honorable deed of carrying a dismounted or wounded comrade out of battle-danger. No onlooker could forget this ever-present obligation, nor the public recognition to a man who had fulfilled it. The ceremony is known as the Pony Dance.

In the War Dance only braves leaving on the raid could participate; each was helped by a young girl partner. Others were onlookers.

A rendezvous outside the village had been set by the leader. During the night the warriors stole off to the gathering place. The raid was under way.

POWERS OF THE WAR LEADER

701 The leader of an organized war party was absolute dictator of all of the
624 activities of his followers as long as they remained in his party. With so loose and voluntary a collection of personnel, disobedience might be looked for. The invariable conviction of the Comanche is that a man never failed to do what the leader asked. It was always said that a brave leader never asked of his men what he himself would not readily do. Each knew this. Each knew, too, that to disobey might bring disaster on the party. Each did what he was told. Not a single instance of the use of force or other punishment as sanctions in the hands of the war leader could be uncovered. If a man did not trust in the ability and wisdom of the war leader he did not join the party. Once in, he was in, so long as he stayed.

So long as he stayed. Some Comanche raiding parties were gone for an entire year or more. Disaffection could and did set in in such a period of time. The solution of such difficulties was simple. The party split. The disgruntled fighter and those who sided with him withdrew to go their own way.⁶ This, be it noted, is also the procedure followed when a man and his friends did not like the way in which things were being run in the band in times of peace. A man followed only the leader in whom he had confidence; he obeyed that leader to the utmost; when he lost confidence, he withdrew from that leader's sphere of influence.

The powers of the chief were (a) to determine the objective of the raid,

⁶ Cf., Case 14, pp. 68-69, below.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

(b) to delegate the scouts, (c) to determine the camping places and periods⁷⁰¹ of rest, (d) to appoint the cook and water carriers, (e) to lay the general⁶²⁴ strategy of attack, (f) to divide the booty, (g) to make a truce with the enemies, and (h) to order turning back of the expedition.

In battle, though the leader set an example of courage and daring, each man was free to fight according to the dictates of his medicine and his personal inclinations. After an engagement or a stealthy garnering of horses, the leader and war bonnet wearers covered the escape with rear guard actions.

When raiders had put two to three days of safety between themselves⁷²⁷ and possible pursuers, they halted. Rest was needed. There were spoils to divide. The leader's eyes had been open to industry and willingness. He had noted or been told of the actions of his followers while in engagement. To the man who excelled, he allowed first choice of the horses. Each member of the party chose in turn according to his service as determined by the chief. The leader took his pick of *what remained*. Then the succession of choices was repeated in the same order as before. If there was an acute shortage of horses, the cook was always taken care of. A nice adjustment, this: the cook had been burdened with the meat supply. If there were too few horses, only the bravest got any return. The leader, no matter what his deeds, got nothing at all if there were not enough horses to go around; in this, as in civil prosecutions, reputation and prestige-obligation counted for more than their visible badge: horses. (It is interesting to speculate on whether this would have persisted, had a *large* herd of horses had a productive economic use as well as a prestige value.)

A reputation for fairness in dividing the spoils enhanced the prestige⁶²⁴ of a war leader and gained him followers. Some men say that Quanah Parker, the last great Comanche chief, did not do this; he frequently made favorites of his relatives and took the best horses himself. Their fathers refused to go on raids with him.

If a man on a raid was killed before the horses were divided, he was⁷²⁷ counted out. This is in curious contrast to the strong revenge feeling and⁴²⁸ the treatment of the cook. There can be no question of any principle akin to "out of sight, out of mind." And there would normally be heirs at home. However, if the horses had already been divided and he had claimed some as his own, then, were he killed, those horses went to his heirs.⁷

⁷ The generalized principles included in the preceding paragraphs were not only given as statements by informants but were confirmed by the text of the war histories collected from the Comanches.

WAR CHIEFS

- 624 Although the Comanche did not attain such a clear differentiation of function and status of the war chiefs as was the case in the more advanced plains tribes, yet the influence of those tribes upon Comanche life is marked in the complex of patterns pertaining to Comanche war chiefs. The study of the Comanche was made too late to learn all one would like to know about the way of the Comanche war bonnet wearer. The information of present day Indians on this point is often vague and confusing. The use of specific types of war bonnets was not a cultural universal throughout the Comanche tribe. There are indications of notable band differences.

[184]

- 624 The wearer of the full-feathered war bonnet was a person of special status in the tribe. Although not organized into an association, the wearers of the full-feathered war bonnet formed a special class. They were known individually as *tékniwap*.^a A man joined the *tékniwap* class and was privileged to wear the bonnet by accumulation of sufficient coups, by bestowal of the bonnet as a challenge by the women, or by recovering a bonnet discarded by its owner in flight. These methods will be described.

565

- 624 The first road to war chief status is best described in the tale recorded from That's It. (Quotation marks in this and subsequent cases indicate actual transcription of informant's statement.)

Case 1. *The Making of a War Chief*

Informant: *That's It*

"The youngest brother wanted to go to war. He was a strong young man, maybe sixteen years old. It was time, he thought, to show his worth to the people.

"He went to his father, telling him of the feeling he had, saying that he wanted to go with the fighters on the raid. His father was glad that his son had such thoughts. 'It is good,' he said. 'And furthermore, my son, I will give you a powerful pony with which to meet our enemies. You shall have a good mule to ride upon the trail, for you must respect your pony. He must be ridden only in battle. Ride upon the mule and lead the pony by its halter until the proper time. When you get to the territory of our enemies it will be time. Leave your mule and get on that pony. Ride him hard like you were meeting the enemy. Do this a short way and stop. Rest! Charge again. Rest once more. Do this four times, my son. Do this, and you will have a pony which will never tire. It will be a famous war pony among the people.'

[789]

- [197] ^a The word *tékniwap*, which in Comanche has come to mean "war leader," is derived from the Shoshone term for peace chief, *tégwoni*. Literally translated in Shoshone this means, "good talk thrown out to the people." The Shoshonean war chief is called *našedink tégwoni*, "in war, good talk thrown out to the people." The Comanche peace chief term, *pánišo*, it will be remembered, has no generic meaning in the Comanche language.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

HOEBEL]

LAW-WAYS OF COMANCHE INDIANS

27

"When the boy did these things the people wondered, but it was as his father had told him. 624

"A couple of nights later they set a camp, and the leader put a scout upon the hill to look for enemies. When he got there he saw two tipis on the other side. He turned back and came zig-zagging down the hill. When the war party saw him making the signal, the fighters ran for their horses, grabbing their spears and stringing their bows. The scout came in to report to the chief. He had seen two men returning to the tipis; it seemed as though they had seen him as he turned to leave the hill-top. 624
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"The mounted warriors were off in a pell-mell rush about the hill. They came out there in the open. Yes! There they went. Three families of the enemy were scudding away in flight—like rabbits. The women were in front. The three men were riding behind them to cover their flight. Down on them the Comanches rode. One of the enemies had a fast horse. He circled back and forth trying to keep off the Comanches. Around he came. The boy on his war pony drove at him, his spear in hand. The enemy fell from his horse dead. The other two jumped from their horses; they began shooting with guns. The young Comanche turned his pony on them; in an instant he speared them both. It was over like that. He turned then and looked about. There were the dead enemies. Way back, the Comanches were coming strung out in a line. The fast ones were ahead, but his pony had left them far behind. The first man up hit all the victims and cried, 'ahé.' The others came and took the scalps.

"It had been a successful raid, so they all turned back to the main camp. When they got there, the people held a scalp dance. On the next morning some fine young maidens dressed up like warriors. They went over to the young brave's tipi before he was awake. They did the Shakedown Dance there and sang the songs. The boy's father came out. He knew what they were there for. He was proud of his son, so he gave these girls what they wanted. He gave them two horses. 624
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"The next time the boy went with a war party he was its leader. They were going west. When they got to the enemy territory he got on his pony and worked it as he had before. After a while they came face to face with a party of Utes out looking for trouble, as they were. There was pause while the two lines stood facing each other. 624
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"Then the boy rode out alone, circling before the waiting Utes. The Ute chief came out and chased him back.

"Now," said the youth to one of his followers, "you do as I have just done." Then he waited. When the Ute chief came chasing that Comanche, the young leader dashed down on him and killed him with his spear. That was his strategy. With a yell, he rode straight into the rest of the Utes. He killed two more of them—like lightning. When his fighters saw his brave example they followed him in. The Utes broke and fled. It was too much for them. Our people chased them a long way. Lots of them were killed, but the rest got away. After a while when the Comanches got tired they turned back. They scalped the dead bodies of the enemy and took what they wanted besides.

624 "The people were pleased when they got back to the camp with their great deeds.
727 They had a big Victory Dance, celebrating almost until morning. The young girls came again to give a Shakedown Dance; the boy's father gave them three horses.

[126] "Later on the warriors gave a Horse Dance. It was a sign they were going on a raid. The boy was with them. This time they had a battle with the Osages. The enemy had three chiefs to lead them; they were out in front, so the young boy charged, killing them all. A regular dog fight followed. But the Osages were without their chiefs, so they could not last very long. When it was over the Comanches cut off the roaches of the Osages for scalps.

"The people gave dances just as before. This time the boy's father gave away four horses. Three years had passed. The boy was now a young man of great renown. He was a mighty fighter, a killer of chiefs.

624 "The wearers of the war bonnets held a meeting about him. They talked about the famous things he had done. It was decided the young man should be raised to the status of war chief.

"They got ready and set up a buffalo hide tipi, painted over with white clay. The people knew they were going to make a war chief of the young man. He was only nineteen years old, but he was very brave.

"They laid buffalo robes and blankets on the smooth floor for the warriors to sit upon; all was ready.

"The wearers of war bonnets were first to enter. The bravest went in first; the others followed after. They turned to the left as they passed through the entrance, walking all the way about the tipi until the first one came to the place at the right side of the door. They came in until they lined the edge of the floor. The leader sat at the west side. Then they waited for the young man.

"When his turn came he went through the door of the tipi and walked to the left until he came to a vacant space at the side of the leader. The leader got up to address the warriors. He repeated everything the brave had done, closing his speech with these words, 'This young man has done enough brave deeds. He is honorable and brave. He shall be one of us. He is as brave as any of us and we make him one of us. What is more, I honor him ahead of myself. Hereafter, he is chief in my stead.'

[554] "Turning to the young man, he took in his hands a fine war bonnet with two rows of feathers as a special honor. Putting the bonnet on the boy's head, he said to him, 'This is nothing but a bunch of feathers given by your friends.'

"The boy was now a war chief. Because the leader had made him chief in his stead, the young warrior walked right to the place to the north of the door and took his seat. The newest member usually had to sit at the end of the line to the south of the door, but he was the greatest fighter they had ever had.

"Then it was over. The young war leader rolled up his blanket and walked out; the others followed him."⁹

⁹ One has more than a smaking suspicion that this story has been embellished with its portion of heroic ornament. But it was told to illustrate how a war bonnet was obtained, and that it does very well.

Post Oak Jim described the details of the process as he remembered it in his band, the Antelope, in slightly different terms. The novice collected his own feathers—one for each coup claimed and one for each successful raid participated in. After his first four notable deeds had drawn the attention of the *tékniwap* class, he was nominated for ceremonial distinction. The special tipi was raised and the warriors sat as before. The candidate was invited to come to the meeting by the announcer. He sat beside the chief and was told the duties and dangers of a war leader. Then he smoked before the chief gave him four feathers from the tail of the eagle. "From that point on his rank is raised." But he did not yet wear his feathers; they were carefully hoarded until by forty-eight coups he had stripped the tails of four eagles. The feathers were then made into a war bonnet. In a second and more important ceremony it was conferred upon the fighter. He was thereafter considered *tékniwap*, a true war chief.

Friends could help a comrade along by transferring to him war honors which were theirs by right. Nothing could more clearly attest both the legal and the property aspects of accorded honor-claims. The gracious act was not unusual. It was done in public in order that the recipient's right to the honor would be witnessed and duly recognized. It was considered best if the giver of the honors announced a dance, inviting all members of the band to be there. At the end of a dance the host called for a halt. Then he walked to the center of the dance ring. There, in the presence of all people, he swore before the Sun and the Earth, who had witnessed the killing of the enemy, that the deed was his. He concluded by saying, "I now give this to my brother, ———." The man named then stood and claimed the deed, with the following words, "I now take this deed. Sun, Father, Moon above, and Earth, Mother, witness ye that it is mine. I killed this man." The drum was struck a resounding blow. Turning to the people, he then called upon them to recognize his coup, and the transfer was complete.

But the transfer of war honors had a wise limitation. They could be neither sold nor inherited. They might be bestowed only as a gift, in the above manner. They were given only to brave men to help them towards the war leader status, or to a peace chief who had no war honors.¹⁹

Even in bands in which formal installation was established, there was also a much less official alternative open for attaining a war bonnet, though of a lower order. This was the buffalo scalp hat, which could be worn by a

¹⁹ Professor Ralph Linton suggests that this practice may have emerged only since the advent of reservation days, when the restrictions upon fighting, imposed by the whites, made the coup a commodity of scarcity, so that the ingenious Comanche devised the technique here described. We are unable to pass upon the question of the specific antiquity of the custom.

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554 brave man who was not necessarily a war chief. It, too, was decorated with a row of eagle feathers. These had the breast feathers tied about the bottom of the quill and reached down to the waist of the wearer. At the top of the buffalo scalp was a bunch of magpie feathers set back on the center of the head.

554 In the Buffalo Eaters band such a bonnet was assumed by any brave who felt worthy of wearing one. There was definitely no ceremonial bestowal. Becomes A Middle-Aged Man, who possessed such a bonnet, says that sometimes it was the gift of friends to a brave man. One friend might suggest it to another with the result that they would gather up the feathers. A woman made them into a scalp bonnet, after which it was presented by them to the mutual friend as a token of esteem.

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554 The acceptance of a buffalo scalp bonnet was a serious matter. People watched a man who took one to see if he was really worthy in his next battles. Failure meant ridicule and disgrace. Becomes A Middle-Aged Man could have risen to the rank of *tékniwap*. He did not, because he felt that he was not brave enough. And yet this man is one (the sole survivor) of the band of six who entered the fortified corral at Fort Sill sixty-nine years ago to drive out one hundred and twenty-one horses under the very noses of the guards without being detected! When the final capitulation to the whites was made, he hung his buffalo scalp bonnet in a tree, leaving it there never again to be worn. In his words, "A man who has surrendered his freedom is not fit to wear such an honorable badge." In the old days, it was the practice upon the death of a chief to hang his bonnet in a tree where it could not be seen, so to allow it to waste away.

626 Women among the Comanches were also privileged to bestow war bonnets upon "deserving" fighters. But it was a hat which rested uncomfortably upon the head of the receiver. Braggarts, whose words spoke louder than their deeds, were neatly handled by the plotting, sniggering females. They made him a war bonnet in secret (if we only knew what kind!). When the moment was ripe, they made a public presentation with such words as these. "Here, you're such a brave fellow. You ought to be a *tékniwap*. Surely, anyone as brave as you ought to be without fear in the face of the enemy. Yes, you deserve a war bonnet. Now it is yours to wear."

So what was Talking Bigger Than His Deeds to do? He had to live up to the obligations of that war hat, or lose it and become an "elder sister." There was a sanction!

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701 A most special type of war bonnet was the Crow Feather Tassel (*haimudya*).¹¹ The Crow Feather Tassel was made of five feathers clipped short

¹¹ The details of the *haimudya* complex are from information obtained by Dr. Mirsky.

701 shoot an arrow into anybody's pot of meat, taking whatever piece stuck to
158 the shaft.

Parents warned boys who were constantly recalcitrant that they would become such. Most Crazy Dogs started out as wayward youths.

Such men carried on as Dogs until after the performance of some conspicuous act of bravery. After many years of Crazy Dog activity, their rattles were taken from them by a respectable middle-aged man (tfnapa).

[555] "They had attained prestige and could leave off their antics." By their war records ex-Crazy Dogs were always men of importance in the tribe.

624 It is clear from these facts that the war bonnet and other special
554 insignia served a definite social function in Comanche society; they marked the status of the war chief as distinct from that of the lesser war leader, and the special devotees of the war cult from the common warrior.

OBLIGATIONS OF THE WAR BONNET WEARER

554 The Comanche owner of a war bonnet was under obligation never to
726 retreat. This was the primary duty assumed with the status. The bonnet was a symbol of tribal integrity and honor to the Comanche, to be protected at all costs. The mere fact that the wearer could not retreat made him a rallying point for all other fighters when he was hard-pressed, for it was equally disgraceful for the bonnet to fall into the hands of the enemy should the wearer be wounded or killed. The war bonnet wearer, dismounted and hard-pressed, could indeed be rescued by a fellow tribesman who dared to risk dashing in to carry the brave off on his horse. This was the sole escape with honor. In one fierce three-day battle with the Utes, a Comanche war chief was so wounded in the leg that he was having difficulty. Another tskniwap mounted behind him and held him in his place on the horse while he fought off the enemy. The Utes forced the Comanches back and ever back over a battle-field sixty-five miles long. When, during the action, the wounded war chief died, he was tied to the saddle by his protector to avoid his being captured with his bonnet. During the entire fight his body and its protector were screened by a group of fighting braves.

558 On the other hand, it was the absolute duty of a tskniwap to help a dismounted comrade. Should he fail to do so, any other war chief who observed his disloyalty could publicly upbraid him with the act and take the war bonnet from him in punishment. The accuser was then free to offer it to some other warrior whom he thought deserved it.¹⁴ But this man was also free to refuse if he feared the obligations attached to it. This was said

¹⁴ Compare also the case cited on page 53, where a claimant to a piece of land (on the reservation) had the judgment go against him because he had one time failed to rescue a comrade.

to be the way it was done, though no case describing such a situation was collected. 558

A war chief whose nerve failed him in a dangerous position *could* retreat—by giving up his right to wear the bonnet. He could cast it off and flee for his life. But he was a man without status thenceforth, for he could never again regain the bonnet and its rank. Life certainly would have been miserable from that point onward. Men hailed him as "elder sister."¹⁵

But what a chance this disaster opened for an ambitious brave to gain the war leader's status in one stride! He could dash into the danger spot to pick up the abandoned hat with his spear or bow. Turning his horse, he would bring it back and put it on a pole behind his lines. If the fight still continued when the sun was about to set, he then went to the pole and put on the hat. Thus arrayed he charged the enemy four times and struck an adversary on each foray. If he was successful in this and came through alive, the hat was his with all the privileges, honors, obligations and dangerous duties which went with it. This was the practice in the Those Who Move Often and Antelope bands. The lower rank war bonnet could be picked up by any one who saw it and was willing to assume the obligations adhering thereto. For it, the use of the bow or spear was not necessary, according to *Becomes A Middle-Aged Man*.¹⁶ 555 726

PEACEMAKING

The waging of war was a matter of individual initiative, but the making of peace was a prerogative only in the hands of the war chiefs. A war leader on a raid could make peace in behalf of his own raiding party on his own authority. Such a peace, however, had no binding effect upon other members of the band and not at all upon the tribe. Band peace was made only upon unanimous consent of the warrior class, i.e., the meeting of the *tkniwapna*. The historical making of peace with the Kiowas has been noted on page 12. All Comanche bands agreed to this with the result that it has remained unbroken since 1790. A permanent peace with the Cheyenne was effected in 1840.¹⁷ 728 624

Relations with other tribes were more in the nature of truces than peace,

¹⁵ According to a generalised observation by Neighbors (*The Comanches*, p. 130): "He is deprived of his office by any misfortune, such as loss of many men in battle, or even a single defeat, or being taken prisoner, but never for any private act unconnected with the welfare of the whole tribe." It is not so much that he was deprived of his office, as that he no longer could gain a following.

¹⁶ The above rules are formulated principles for which no histories in action were obtainable.

¹⁷ The Comanche version of the details of this occasion is lost. Its setting in the Cheyenne picture will be included in the author's forthcoming study of Cheyenne Law-ways.

728 however. A good example at once of the role of intermarriage and of the
624 power of the war leaders is found in the story of a Ute-Comanche peace
which was engineered by a woman.

Case 3. Peacemaking With the Utes

Informant: That's It

"A Ute woman who had been captured by the Comanches was with a band who were fighting the Utes. Her son was a Comanche brave and she feared for his life. Finally she rode out between the fighters and held up her hand calling for them to stop. She said she was on both sides; she a Ute, her son a Comanche; it was not good for them to fight.

"A Ute chief rode up. The woman wanted to shake hands, but he said, 'No, not until I know if your chiefs sent you.' At this time her son rode up. He was a Comanche war chief. He said he was willing for peace, and he got the others to agree.

"They stopped fighting, and the Utes camped on one side of a hill and the Comanches on the other side. That day some Comanche hunters were coming back to camp and they didn't know about the truce. On the way they killed and scalped a Ute and felt pretty good about it. They were expecting the Comanche camp to be at that hill so they rode into the Ute camp by mistake, singing the Victory Song and swinging the scalp. But the chief of the Utes wasn't mad. He said, 'That's all right. We are at peace and you did not know it. We do not get mad.' Then the Comanches went over the hill and found their own camp.

"That night the leader of the Comanches went over to the Ute camp. He told them that since a Comanche was killed in the first attack, things were even and there shouldn't be any trouble.

"After that a council of ten Ute chiefs called at the Comanche camp to visit the Ute woman. They discovered that she was the sister of one of the ten chiefs. They made her a special honor; they took her back to the main Ute camp where her father and mother were still living. They gave her a tipi with an antelope skin tied to the top of a pole for a special sign.

"Later on there was trouble again and they had more fighting with the Utes."

4627 The institutionalized champion we see as a purely social device. None of
 624 the ordinary inducements used to lead a person to assume a difficult obli-
 554 gation or responsibility were operative for him. Unlike kin or friends, he
 received no material compensation for his pains. This is borne out both by
 the word of the informants and by the evidence of the cases. Nor did the
 principle of reciprocity of services operate for him. Men chosen to act as
 champion were always warriors of great renown. They could look to them-
 selves; they had no need to ask for return of favors. It was a sense of *noblesse*
oblige and self-esteem which forced the champion into the legal lists on
 behalf of weaker persons to whom he had no personal ties. A war leader
 who refused to accept the request for aid in prosecution was to be deemed
 unworthy of his rank, for it was imputed that he feared the defendant. No
 war leader could admit fear. The institutional capitalization of these factors
 for the legal protection of the weak is an amazing piece of social engineer-
 ing.¹⁸

17) ¹⁸ One has only to contrast the Roman *paterfamilias* and early medieval infestation of free
 land. These "muscle men" exacted pay for protection as does a modern gangster. No matter
 that it was not with money. For favorable comparison to the Comanche consider the Ifugao
monkalun, or Icelandic *lauvman*.

Each of these functionaries was responsible to both parties in dispute, though the *monkalun*
 was evoked by the plaintiff. He (the *monkalun*) was at most a distant relative to the litigants.
 He was a *kadangyong* (man of wealth belonging to the first rank of society) and a man with
 a head-hunting reputation, as well as a successful settler of disputes. His method was suasion,
 threat, wheedling, scolding, according to the arts of fine diplomacy. He worked between the
 disputants (they keeping rigidly from each other's sight) until he could bring them to stand
 on a plank of settlement acceptable to both. For his pains he received payment in pigs or other
 commodity from the plaintiff. This was compensation for his efforts, but as Barton tells us,
 the main drive which spurred him to work for a peaceful settlement was the desire to build
 his reputation as a mediator. As in Comanche society the true reward was prestige. The
monkalun, like the Comanche intermediary, was ready to fall back on force if need be. But
 he did not stand so ready with knife in hand. When he felt that he had exhausted his ability
 to bring the parties to a settlement, he declared a truce of a month's duration. Whichever
 party broke the truce by an act of violence had the *monkalun* and his family to reckon with in
 addition to his adversary. Thus the *monkalun* fell on either side if process degenerated to
 force, while the Comanche mediator always stood by his protégé. R. F. Barton, *Ifugao Law*,
 (University of California Publications in American Archaeology and Ethnology, vol. 15, 1919),
 pp. 97 ff.

The Icelandic *lauvman* presents a similar comparison. A plaintiff lodged suit by airing
 his grievance before all men on the Hill of Laws at the Thing, or in-gathering of citizens. The
 attempt was made to bring both parties to agree to accept whatever judgment might be given
 by a selected *lauvman* or a council of his ilk. The alternative (legally) was wager of battle on
 the *Isle*. Outside of these legal paths were strife and murder. The *lauvman* derived honor
 and prestige for their efforts and seem also to have been fed in a modest way.

("After that men went away, and all thought things looked like the greatest tangle . . .

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

HOEBEL]

LAW-WAYS OF COMANCHE INDIANS

65

In action the champion was not an arbitrator. It was not his purpose to serve as a go-between. He went to demand damages. The bare fact is that he confronted the defendant as a "tough guy" who could take as well as give it. He was ready, if need be, to close the matter, not with damage settlements, but with physical combat.

627^x
624 ●
554

It is in the champion that we can see most clearly the social policy of balancing the opposing forces so as to clear the way for a bargain settlement. This phase of the Comanche legal system is therefore to be viewed as a not so badly balanced mechanism, which operated without the organization of government. Making certain that action was taken when an offense was made publicly known, it made possible a sort of justice by assuring that the guilty and the wronged parties were placed on a bargaining level.

There were no officials in the picture. The peace chief could not act in damage suits, because he had no social authority to do so. As an old and gentle man he lacked the physical prowess to enter an affair in a personal capacity. The champions who participated in actions, because they were the bravest men, were also war chiefs. But the role of champion which they played was a function of their bravery, not of their rank as a chief.

It is possible that if the evolution of Comanche society had continued under aboriginal conditions, the war chief would have taken on the police functions for the society, and have become, thereby, the administrator of justice.

but Hall went to Thorger, the priest of Lightwater, who was the old Speaker of the Law, and gave him three marks of silver to utter what the law should be." . . . "This was no bribe, but his lawful fee.")

171

But Eyolf Bolverk's son was sued to be condemned to lesser outlawry for having received a gold armlet to press Flooi's defense before the Althing. Flooi was given the same sentence for giving the trinket as an inducement. G. W. Dasent, *The Story of Burnt Njal* (A translation from the Icelandic *Njal Sagen*, New York, 1911), pp. 184 and 283.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

HOEBEL]

LAW-WAYS OF COMANCHE INDIANS

71

attempted parricide upon old Brown Robe. It was a notorious and most "unnatural" offense. 627^x
682

Case 16. Homicidal Assault: Brown Robe vs. Crazy Bear
Informants: That's It and Visits Her Relatives

"Brown Robe was a Yep Eater with three wives. Two were sisters; the third was a chore wife. The elder sister had married him first and the younger had been given to him later. When he brought home the third wife, the elder sister said to him, 'I see you have a new wife.'

"Three young men were living in his household with him. They were Buffalo, who was his son by a former marriage, Crazy Bear, his grandson, child of his daughter who had died, and also Buffalo's nephew. The third young man was a captive whom Brown Robe had taken as a child, raised, and called 'son.' The two sisters each had a child by Brown Robe, but the chore wife had no children.

"One day Buffalo and Crazy Bear ambushed the old man. Buffalo shot him with an arrow. (His father had given him medicine as was customary for a father to give a son his medicine. This medicine was that of the brown bear; it gave invulnerability to bullets. A bullet won't go through a bear, except at a certain spot. An arrow will. That is why Buffalo used an arrow to shoot his father, because he knew a bullet would not harm him.) Then Buffalo ran off with the chore wife. She was not pretty, either. She was real dark. Crazy Bear ran off with Young Woman, his grandfather's younger wife. The elder wife and the captive boy stayed with the old man. He did not die from his wound, for he was doctored back to health by a medicine man. While they were out hiding, children were born to the two young men; each of them had a boy.

"Later on these couples and their children returned to Brown Robe's camp. He greeted them without malice. 'What you have done to me is forgiven. Just forget what you have done. Let us live in peace.' Everything did go smoothly after that. His former wives, who were now his daughters-in-law, treated him respectfully as a father-in-law. And when Brown Robe died about ten years later, his son and all his establishment mourned for him."

Community reaction in such a case could be only in the form of public disapproval. Legally the whole affair was a private matter. And as She Invites Her Relatives explained it, Brown Robe could not retaliate because the offenders were blood relatives. Or as Kwasi (Dr. Mirsky's informant), phrased it, "His feeling for his son and grandson over-balance the women (meaning the wrong alone). The women were of no consequence compared to his own flesh and blood." Brown Robe's receiving the whole group back was above criticism, "because he was a war chief." 627^x
624

But the fact that Buffalo, his son, was also a war chief did not save him from public censure. People talked in strong terms of his conduct. When he and the others returned to the main camp, public opinion was so sharp that

x627 they had to live apart on the outskirts of the village. The social sentiment
 ● 624 was there. A norm making a crime of parricide could have developed from
 it. But as it was, it remained not a matter for "legal" interference by so-
 ciety. Therefore murder was still essentially a wrong and only vaguely a
 [674] crime.

x627 In case 27, p. 94-95, a young warrior slew his mother's brother because
 602 of black magic performed against his brother. The uncle was said to be
 putting a curse upon the youth for suspected adultery with the uncle's wife.
 Here were two intra-familial actions: the first, for a violation of marital
 rights; the second, a retaliation before the fact in anticipation of the death.
 In the words of the informant, however, "The quarrel was in the family, so
 no one else could take it up to do anything about it." This case sharply
 defies the supposed principle of inability of blood to proceed against blood.
 At the same time it resubstantiates the private nature of murder.

x627 Supporting and contradicting the hypothesis that action could not be
 593 taken against an aggressor within the family, is a second case of parricide
 682 in which Capture killed his father, who was a "captive white man who had
 602 grown from boyhood among the Comanches." His father had remarried
 after his first wife's death. The new wife was young and beautiful—and
 indiscreet. She took her step-son as a lover. When his father got suspicious,
 Capture shot him to get him out of the way. Then he fled. His flight,
 however, led him into the vicinity of That's It's camp. That's It was a
 foster relative of the dead man—through his adoption into That's It's
 family. That's It called him "younger brother." That's It took a party of
 his kinsmen to confront the murderer. "Son," he said, "for one thing I have
 come. It is as it is—it is done (the deed). I am taking the woman and the
 horses." Then the informant explained, "That's It took the horses and the
 woman, not as a form of damages, because Capture was his 'son': you
 don't collect damages from a son. He did it as a punishment, because the
 woman meant more to the boy than anything else."

x627 Taking a group of kinsmen over to divest an erring relative of his ill-
 602 gotten wife and horses was not collecting damages; it was punishing him!
 It had to be so, because one did not collect damages from a son. Is legal
 logic restricted to the civilized mind? One could not proceed against a
 kinsman, but one could punish him.

The truth seems to be that the "principle" itself rests on confusion.
 Where families or kin are the legal units recognized by the society as a whole,
 then *before the society as a whole or its officials* it may well be that "a group
 cannot proceed against itself." But there remains the self-regulation of the
 group. The Comanche instances show two things: that what happened

Three Years Among the Comanches

157 Se-ma-naw, the youngest wife of the civil chief, possessed a cheerful and lively disposition, always frolicsome
● 624 as the young antelope of the prairie. She was the daughter
551 of the war chief of the tribe, *Sa-was-saw*, the Bear, and niece of *An-a-wak-ke-o*, who was her father's sister. The name of the prophet was *Han-na-nos-ka-a*, signifying the wisest of the wise.

622 The Rolling Thunder possessed a remarkably inquisitive
157 mind, and was, moreover, extremely sociable. In the course of his life, he had several times crossed the borders of the Indian territory into Mexico, and had some faint notions of civilization—just enough to excite his curiosity. Hour after hour he would converse with me in his tent about the manners and customs of the whites. On these occasions, I endeavored to illustrate, in the best possible manner, their superiority and power. With a piece of charcoal, I would sketch on a sheet of birch bark the figure of a ship, “with wings whiter than a swan’s and wider than many eagles”—its masts taller than the tallest cedar on the mountains—representing it as capable of carrying more than a thousand pack mules could bear; that in this great canoe, the white man would sail away over the salt water, beyond the sight of land, to a vast continent, distant more than a hundred days’ journey to the east. He had never seen the
[173] ocean; nevertheless, he comprehended its vastness through the traditions of his fathers, who once dwelt upon its shore; but no logic could convince him that the mighty land beyond it was a part of this globe; his reasoning leading him irresistably to the conclusion that it must necessarily belong to another planet. When I told him the earth was round
823 like a ball, and on the opposite side were extensive countries and millions of people—that if we could bore a hole through it directly beneath our feet, we would emerge into

The Comanches

687 than rebuke and admonition. The people in general, however, showed great respect and obedience to their chiefs and headmen.

623 While warfare was still going on, the exactions of the chiefs, head-
555 men, and counselors who stood at the top of the scale of society were kept in check by fear of reprisals should some man of lower rank later rise to supremacy. Thus the warriors prevented the tipping of the scales toward undue governmental authority. The end of warfare froze the social system, depriving able young men of all chance of social advancement, since this primary means of achieving status was blocked. As a result, the old men became arrogant in a way that they dared not in earlier times.⁸

624 War chiefs were men who had war records and who had won
701 leadership by personal bravery and exhibitions of courage and skill. Each band seemed to have recognized one individual as the leading war chief. Apparently his elevation to the position was given official recognition by the council of elders. Yet, again, in this matter the council apparently followed public opinion, which in this case would be the wishes of the warriors. The war chief was apt to be a younger man than the civil chief and in times of war might possibly overshadow the leading civil chief.

In the event of the death or decline and withdrawal of a war chief, the warriors in council selected one of their number and installed him as their leader. The discussion and the expressions of opinion usually showed clearly who was the most popular man for the place. There appears to have been no formal balloting; the discussion continued until sentiment had crystalized around one man. In addition to the number-one war chief, each band had a number of war leaders of lesser rank.

701 The prosecution of warfare was very much a matter of individual discretion. Any Comanche was theoretically eligible to lead a war party, and there was no power to restrain him. A warrior who wished to organize a war party made known his intention. If his military reputation had been established in combat, if his "medicine" was powerful, and if he was known to be liberal in the division of the spoils, he seldom had difficulty in securing a large following. Continued successes would lead to his elevation to the chieftainship.

⁸ Ralph Linton, "The Distinctive Aspects of Acculturation," *loc. cit.*, 506.

Government and Law

So they sent down for the old man to come up. He did not want to go, but one of his wives urged him into it—he now had four wives. 701

The young chief dictated the whole thing. When the old man came into the tipi he told him to sit between his brother and his wife. 539
The old man hesitated. He was afraid.

"It is all right," he was assured by the elder brother.

When he was seated, he hugged the children and was very pleased.

"We are going to give you back your wife," the chief told him, "Tomorrow when you come back, we shall have a feast here. Bring one of your wives. Then when we have eaten, you can take this woman and her children to your lodges."

The old man and the woman were not as one once again until they were on their horses and ready to go the next day.

Thereafter the old man told the two brothers to pitch their tipis back of his. "We are brothers now. My wives are yours any time you want. Just for the asking." » » »

On the raid or warpath the leader of a war party was in supreme control of all the activities of his followers as long as they remained in his party. With so loose and voluntary a collection of personnel, disobedience might be expected, but a warrior seldom refused to obey his leader. It was said that a brave leader never asked of his men what he himself would not readily do. Each knew this. Each knew, too, that disobedience might bring disaster to the party. The leader did not use force or punishment. If a man did not trust the ability and wisdom of the war leader, either he did not join or he separated himself from the party. A warrior followed only the leader in whom he had confidence; when he lost confidence, he withdrew from that leader's sphere. This, be it noted, was also the procedure when a man and his friends did not like the way in which things were being run in the band in times of peace. 726

The powers of the war chief included determining the objectives of the raid, designating the scouts, deciding upon the camping places and periods of rest, appointing the cook and water carriers, formulating the general tactics of attack, ordering the expedition to turn back, making a truce with the enemy, and dividing the booty.⁹ 726
624 ●

⁹ Informant: Yellowfish; see also Hoebel, *The Political Organization and Law-Ways of the Comanche Indians*, 25.

own men. It is safe to say that the wild Comanches never kept a⁶¹⁹ treaty and in the matter of treaty breaking some excellent ex-⁶⁴⁸amples were set by their white neighbors.¹³

The records available—and they are exceedingly scant and un-⁶²²satisfactory—indicate that the political institutions of the Comanches⁶³¹ were meager and poorly defined. Each band had a head civil chief and a head war chief, selected by the council of chiefs and leading men. In this connection I may state that I have never seen any satisfactory account of the manner in which chiefs were selected, or any definition of just what constituted a chief. It appears that heredity was one consideration but not the only matter of determining the status of a man in the tribe. Absolutism and the idea of divine right found little consideration in a Comanche camp. The chief or head man who proved tactless, cowardly, or inefficient would soon be supplanted; but this readjustment would likely take place gradually and by common consent rather than by formal procedure.

In all matters, even war, the head civil chief was superior to his war⁶²² chief, but if the civil chief was aged and decrepit and the war⁶²⁴ chief vigorous and popular this civil superiority would be more theoretical than real. Verily, among the Comanches the man made the office and not the office the man. However, the war chief was apt to be the son, natural or adopted, of the head civil chief; and the most insolent Comanche brave had respect for the council of his elders.¹⁴

In theory, at least, the council was supreme, but its decisions⁶²³ were often indefinite and left each chief or head man a large measure of freedom of action. Generally the majority made little effort to impose its will on the minority.

During the later period, custom and the consensus of opinion,⁶²² public opinion, we might call it, were practically the only sanctions^[681] behind Comanche law. However, it is likely that before the tribe

13. The Spaniards often commented on the difficulty of holding the Comanches to treaties. See The Baron de Ripperda to the Viceroy, August 25, 1772, in Bolton's *De Moxieres*, as cited, I, 342. The Anglo-Americans found that this problem increased with the passing of the years.

14. These statements represent my own opinions based on extensive reading and study in both Spanish and English sources. The tribal practices in these matters varied if we are to reconcile the different conflicting accounts. Josiah Gregg gives the matter some consideration. See *Commerce of the Prairies* (New York, 1845), 306-307, in R. G. Thwaites's *Early Western Travels*, XX, 342-343.

22: Dacus Q-3 (no date) 1960 NO6 Comanche NO6
(ca. 1870)

1960

THE COMANCHES
[ca. 1870]

337

The husband may repudiate his wife or wives at any time, and take back his presents. The wife too, for some causes, may rebel against her tyrant lord, and leave off serving him. This course on the part of a Comanche wife, covers the husband with such disgrace that it can only be removed by killing someone—the first person he may happen to meet is made the victim. It nearly always happens that he first meets with his truant wife, or some near friend of hers, first after suffering the great disgrace, and, of course, he proceeds to alay her, or the vicarious relative.

IF THE COMANCHE can be said to live under any government, it may be set down as a radical democracy. The war chiefs are elected, on occasions of war, by the council of warriors. Their authority is only countenanced and their commands obeyed while hostilities continue. In peace, their authority is merely that derived from their wealth and prowess. The Comanches honor courage and skill in war, and the successful warrior is generally made a chief of some band. There is no unity in the tribe. Besides the seven sub-tribes into which they are divided, each of the seven is made up of small parties, each of which has a leader. In many respects the autonomy of the Comanche tribe differs from any other North American Indians. In most respects, the tribal government is very much the same as found among Xicarillo, Mescaleros, and other wandering Apaches, to which family it is claimed they are nearly related. But in two or three important particulars their method or system of government is entirely distinct from and wholly unlike that of any other people.

When a chief or prominent warrior wishes to organize a warlike expedition, he takes his yellow shield, puts on his eagle plumes, smears war-paint over his face, and assuming the weapons borne by warriors, he rides at a furious pace among the lodges, chanting his war-song as he goes. Any warrior who has taken two scalps may thus organize a marauding expedition, and no authority of chiefs or councils can prevent it. If there are warriors willing to join him they immediately mount their ponies, armed and equipped, and follow the warrior, who first declared war. Their chant is united with his, and thus a war party is made up. But it is not often that the entire band declares for war. The promoter of the war may be a simple warrior, without any authority whatever. For that particular expedition he may be chosen chief, or they may select another to lead them. When going against an enemy the commands of the chiefs are generally obeyed with alacrity. In peaceful seasons they have virtually no chief, or rather every venerable warrior among them is a chief, whose

[ca. 1870]

- 622 authority is measured by the amount of wealth he may possess and his
624 reputation for courage and skill in war.
551
- 624 The authority of their war-chiefs often terminates at the conclusion of
701 a single expedition, their official term expiring by limitation.
- 623 Once a year they have a general council, at which they settle disputes
between rival warriors, make regulations and discuss matters pertaining
to the welfare of the people. In this council all warriors are entitled to
participate, which means, all the grown up men of the tribe. Occasionally
[622] a warrior of great wealth, that is the owner of many ponies, and of great
personal prowess, will exercise a sort of chieftaincy for many years to-
gether. But such instances are rare.
- 623 The council frame certain rules, sanctioned by custom, and not in con-
203 travention to the will of the majority, and these are proclaimed by a chief
man, who rides among the lodges, pausing at convenient points to recite
the law in the hearing of all the people.
- 673 Theft, adultery and murder are the cardinal crimes, and for the punish-
ment of these offences, custom has established precedents which have all
the authority of a written code. For the first, the offender may satisfy
685 justice by restitution and additional gifts. The second is a crime which,
684 according to Comanche law, men are incapable of committing. The woman
guilty of this offense may be punished by castigation, mutilation, or the
infliction of the death penalty, at the will of the husband. Her paramour,
682 however, if disposed, can placate the husband by presents. For murder,
the penalty is death. The friends and relatives of the victim would dis-
grace themselves by compounding the felony. They are constituted the
avengers, and invariably put to death the criminal, if they can find him.
- 673 These are about all the offenses cognizable by the Comanche code.
- 538 THE COMANCHES ARE GREAT STORY-TELLERS. In the mild autumn evenings they gather about the lodges in groups of five or six, and each one endeavors to surpass the others in marvelous stories, either of his own adventures or those of some other person. They have a series of fables, probably obtained from the Spanish Jesuit missionaries, who it is known
538 visited them almost two centuries ago, which they term the "Talks of the
177 Liar." The Comanche name for liar is *esop*, which considering the striking
[797] similarity between the "Talks of the *Esop-Liar*," and the fables of the
[175] Greek confirms me in the opinion that a majority of the lodge-fire stories of the Comanches are but modified versions of the fables familiar to every school-boy who is set to learn another language than his own. In these fables the fawn is substituted for the lamb, the bear for the lion, the coyote

23: Cabello y Robles G-3 (1778-1786) 1961
NO6 Comanche NO6
Eastern Comanche

180 West Texas Historical Association Year Book

[c. 1786]

175 customarily situated across the river that some call the
131 Colorado (Red) and others the *Rio de la Empalizada* which
133 flows to Natchitoches in order to empty into the Mississippi;
from their settlements [on the Red River] they move about
to the headwaters of the Brazos de Dios, which are one hundred leagues apart from one another; in this interval they are accustomed to make their residence at a place they call the *Gran Salina* [Large Salt]. There they provide themselves with this commodity in order to barter with the 175
439 *Tabosyazes* [Taovayas] and *Guachitas* [Wichitas] who, 317
because they lack salt, esteem it very much.

175 FIFTH: What Are the Names of the Captains That
622 Govern Them?

624 The names of the captains that I have been able to acquire
[643] notice of are in the First Class, *El Cota de Maya*, or *Camisa de Fierro*¹; the second, *Cabeza Rapada*. Those of the Second Class are *El Lobito*, *El Sorrillo*, *Guiracaraco*, *El Guanguas*, *La Boca Partida*, *El Español*, *El Surdo*, and *El Manco*. I have not been able to inquire the names of the other three or four who are of the second class.

SIXTH. What Distinguished Those in Authority?

[643] The chiefs with the most authority and following known among the Eastern Comanche Indians are in the first class, *el Camisa de Fierro*, or *Cota de Maya*, and in the second, *la Cabeza Rapada*, there being ten or twelve that are between those of the second class and subject to the two aforesaid [first class chiefs].

175 SEVENTH: How Did They Gain Their Authority, by
643 Election or by Inheritance?

623 The command and superiority established by the two
555

[113] 1. For further details about *Cota de Maya* (Coat of Mail), also called
[551] *Ecuercapa* (Leather Cape), whose Comanche name was *Constanacapa*, see Alfred B. Thomas, *Forgotten Frontiers* (Norman, 1932), 294-325.

622 in commenting on the band headmen, or peace chiefs, remarked, "I hardly
 (642) known how to tell about them; they never had much to do except to hold
 the band together." The headman was a magnet at the core of the band,
 but his influence was so subtle that it almost defies explicit description. He
 worked through precept, advice, and good humor, expressing his wisdom
 through well-chosen words and persuasive common sense. He was not
 elected to office or even chosen. "He just got that way." His role and
 status were only slightly more institutionalized than were those of the
 Eskimo headman. In the making of any important decisions of group policy
 all men were free to have their say. Yet among them all, the wiser old head,
 whose time-tested judgment the people respected, was the leader. In matters
 of daily routine, such as camp moving, he merely made the decisions him-
 self, announcing them through a camp crier. Anyone who did not like his
 decision simply ignored it. If in time a good many people ignored his
 announcements and preferred to stay behind with some other man of
 influence, or perhaps to move in another direction with that man, the chief
 had then lost his following. He was no longer chief, and another had quietly
 superseded him.

624 War chiefs were outstanding fighters whose accumulated records of
 555 honored deeds were tangible evidence of their prestige status. Any Comanche
 was free to initiate a raid or organize a war party—if he could muster a
 701 band of followers. The Comanches were chronically at war with the Ute,
 Pawnee, Apache, Osage, Tonkaway, and sundry other tribes. In later days,
 721 the whites of Texas and the Mexicans on both sides of the Rio Grande were
 fair game. War, for the Comanches, was certainly a national pastime, if
 not the conscious practice of a national political policy. We suspect it was
 both. But so far as it was a national policy, it was not explicitly directed
 (555) by a governing military or political body. It was a matter of individual
 motivation, prepared by training since infancy and spurred by a social
 system that gave rich psychological rewards to the men who were bravest
 in the face of the enemy or most successful in running off the horses of
 hostile tribes or the horses and cattle of Texas ranchers.

On the raid the leader of the war party—the man who had organized
 701 it—had temporary dictatorial powers such as a peace chief never enjoyed.
 624 He determined the objectives of the raid; he appointed scouts, cooks and
 water carriers; he set the camping places and the route of march; he divided
 the booty, if booty there was. In all his directives he was implicitly obeyed.
 If anyone seriously objected, he was free to leave the party and go his own
 way. Success on the raid demanded tough leadership, and the followers of
 a war chief submitted to it. Yet so strong was the Comanche sense of indi-
 vidual freedom that at any point a man could pick up his arrows and
 go home.

624 In view of their basic values of individual supremacy and the related

ambiguity of powers of the chieftains, it is not surprising that in this tribe there were no public officials endowed with law-speaking or law-enforcing authority. The law of the Comanche was neither legislative nor judge-made. It was, as we have written elsewhere, "hammered out on the hard anvil of individual cases by claimant and defendant pressing the issues in terms of Comanche notions of individual rights and tribal standards of right conduct."³ Thus it was almost exclusively a system of private law: a system of individual responsibility and individual action; a law that was case made.

The Comanches surely had no love of legalistic formalism, but they were a most litigious people. Their way of life engendered considerable internal friction. It might almost be said that the Comanches savored trouble-making. Their own accounts of their war parties as often as not begin with a laconic "once there was a bunch of Comanches out looking for trouble."

So, also, a man was often moved to take steps that made trouble. He stole another man's wife, or he secretly consorted with her. When this was done, the husband had no choice but to initiate legal action. Magnanimity on his part would bring no praise, for there was no doctrine of turning the other cheek. A man's status turned on his bravery, and for an offended husband not to act reflected merely on his courage; it was seen not as an act of forgiveness but as an expression of lily-livered cowardice. Wife-stealing and adultery were not the result of any sexual deprivation on the part of the offender; they were in effect deliberate challenges to the prestige of the husband. As such, he was forced in the eyes of the people to respond to them.

The way was open to him in legal action. Custom impelled men to violate the marital rights of other men. The culture also provided a legal remedy for the wronged man. Except in a few rare and extreme cases, the wrongdoer fully expected to pay the legal price—and did so without forcing the injured husband to a violent bodily attack. He knew well that he would have to pay a price, but he also knew that if he was steadfast and could outface the other man, the price would be light. In that case he would come out of the affair with greater public respect than the husband and he might get the woman to boot. So he took the risk.

In the memory of a dozen old Comanche informants still living in 1933 forty-five cases of old-time legal actions involving wife-stealing and adultery were still vivid enough for detailed recording.⁴ Twenty-two were wife-absconding cases and twenty-three involved adultery.

As it takes two to make a contract it also takes two to commit adultery or a wife-absconding (Comanche women were not forcibly stolen). The woman's role in these affairs was very frequently an expression of individual revolt against the workings of Postulate III.⁵ Theoretically in all instances,

³ Wallace and Hoebel, p. 224.

⁴ Cf. Hoebel, *Political Organization and Lawways*, pp. 49-59.

⁵ A [see category 181, p. 69--Analyst]

ON THE PLAINS • 9

natural patron or guardian spirit endowed the petitioner with a certain amount of power and various songs and procedures needed by the recipient to manipulate his Medicine. There was not much transfer of Medicine from individual to individual. Medicine men worked generally in a benevolent manner and received a small fee for their services. There was also a lively ghost fear and a poorly developed notion of the afterlife. 174

These people were without war patterns before the advent of the horse. They were raided continually by their more warlike neighbors, but they did not develop an institutionalized form of resistance.

Each local group operated in a specific hunting territory, but there were no notions of land ownership and trespassing was not punished. Their dwellings were crude, temporary brush constructions for the most part. Material possessions were also limited in complexity and amount by the rigors of the environment and the difficulties of transportation. Though the dog was present, it was not used for transportation. A family's possessions were usually carried by the women during the march. Women occupied an inferior position in the society, though they were respected for their full share in the food quest.

A Basin-Type Culture

A Basin-type culture, such as has been briefly described and which could be represented by the historic Wind River Shoshone, was the basic stock from which the Comanche sprang after acquisition of the horse and their subsequent movement onto the Plains. It is probable that these Basin people, living on the western fringes of the Plains, made periodic pedestrian hunting expeditions onto the Plains after buffalo or that they were made aware of the desirable qualities of the buffalo from contact with groups which more thoroughly exploited this beast. Shimkin (Trenholm and Cole 1964:17) suggests that the Shoshone may have roamed the Plains area many generations before finally being driven back into the shelter of the Rockies. Therefore, the Comanche advent can be seen as the appearance on the Plains of a mounted Shoshonean people. The Comanche, with the horse and therefore the ability to efficiently exploit the buffalo herds and the Plains environment, built upon culture patterns already sufficient for this type of life style—exaggerating some, modifying some, deleting others, and developing still others.

On the Plains

With these Plains nomads the laurels went to the young and the physically able, while the older people, valued for their wisdom in Shoshone society, faced an old age of declining social prestige and humiliation. And, though the Comanche lacked a pervasive political organization, the war chief, no longer the Medicine man, became the individual who could wield the most power over the most people at any one time. His authority, however, was temporary and transitory. An elderly 175
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10 • THE COMANCHES

175 man, if he was fortunate, could become a peace chief, but a peace chief possessed
178 no real authority and functioned most importantly as a mediator in the disputes
624 which arose among the younger men.

175 With the greater food supply offered by the seemingly boundless bison
178 herds, hunting magic decreased in importance. Antelope magic did persist from
224 the Shoshone heritage. The more favorable living conditions and constant food
789 supply also allowed the individual bands, which had retained their Basin character-
621 istics, to become larger and to achieve a greater degree of independence from their
222 sister bands. The emphasis on the buffalo as a food source also tended to decrease
the importance of gathering and exploitation of the floral environment for food.
Further, the Comanches made little or no use of fish and of such small game as
rabbits (Lowie 1954:6).

175 The Basin Shoshone practice of infanticide disappeared as the family group
178 could more efficiently care for its offspring. The practice of enculturating slaves
847 and captives became common among the Comanches in order to augment their
727 numbers and specifically to free males for hunting and warfare. The stress on
562 war and hunting also tended to debase the position of women, and such practices
573 as the mutilation of wives, a custom which had never occurred in Basin Shoshone
304 culture, came into practice.

175 Patterns of religious belief and behavior also underwent certain changes
178 from Basin life to the Plains. A vaguely defined belief in a Great Spirit persisted,
771 as did the relative lack of concern with the afterlife. However, the intense fear of
776 ghosts held by the Basin Shoshone diminished in the Comanche Plains culture.
773 Also, the practice of power transmission from individual to individual, instead
773 of power source to individual, developed in importance. The decrease in ghost
773 fear and, it is assumed, witchcraft in Comanche culture, as opposed to the Basin
773 culture, was greatly facilitated by the lessening of intrasocial tensions and the
571 Comanches' ability, through warfare, to turn aggressions outward and away from
721 the primary group. As a whole, Comanche religious patterns were exceedingly
794 simple and lacking in elaborate ceremonialism and ritual, at least compared to their
Plains neighbors (Hoebel 1940:83).

175 The Comanches possessed characteristics, other than their paucity of
ceremonialism, which served to differentiate them from other Plains tribes. The
171 Comanche bands were more self-managing than bands found among other Plains
621 groups. Warrior societies, a diagnostic trait of Plains culture, were lacking in
575 Comanche society except in the most rudimentary form. The Sun Dance was not
794 a vital aspect of Comanche culture. Decoration of clothing with beads, quills,
291 and ornaments of bone, shell, and metal was deemphasized, while heavy fringing
[342] of the garments was the rule. The Comanche tepee was built on a four-pole base
like that of the Blackfoot, Sarsi, Ute, and Shoshone; while the Comanches' historic
neighbors, such as the Kiowa, Cheyenne, Arapaho, and Kiowa-Apache used a three-
pole foundation (Lowie 1954:33).

721 By the early nineteenth century the bison herds were greatly diminished
[224] on the south Plains, and the Comanches increasingly turned to raiding to augment
their economy. During this period the Comanches raided New Mexico, the Santa
Fe Trail, northern Texas, and Old Mexico, sometimes as far south as Durango.